

# ATTORNEY GENERAL

## STATE OF MONTANA

Steve Bullock  
Attorney General



Department of Justice  
215 North Sanders  
PO Box 201401  
Helena, MT 59620-1401

February 27, 2012

The Honorable Tom McClintock, Chairman  
Subcommittee on Water and Power  
House Committee on Natural Resources  
1522 Longworth House Office Building  
Washington, DC 20515

The Honorable Grace Napolitano, Ranking Member  
Subcommittee on Water and Power  
House Natural Resources Committee  
H2-186 Longworth House Office Building  
Washington, DC 20515

Dear Chairman McClintock and Ranking Member Napolitano:

I write to join with our fellow western states and the Western States Water Council (WSWC) in strong opposition to H.R. 1837 – The San Joaquin Valley Water Reliability Act. The State of Montana is particularly troubled by Section 202 of H.R. 1837, which proposes to set aside Section 8 of the Reclamation Act of 1902, effectively preempting California state law. As the WSWC noted in its opposition letter of last summer, this provision of H.R. 1837 represents “an unwarranted intrusion on the rights of the states to allocate and administer rights to the use of state water resources.” The State of Montana has a long history of working closely with our federal and tribal partners in matters relating to the use and administration of our water resources, and deference to state water law has been a longstanding principle of federal policy. By threatening to turn that principle on its head, H.R. 1837 represents an unacceptable threat to Montana’s ability to manage its own water resources, and risks jeopardizing the successful partnerships we have formed with the United States and the Indian tribes in Montana.

For these reasons, Montana opposes the passage of H.R. 1837.

Sincerely,

A handwritten signature of Steve Bullock in black ink, featuring a stylized 'S' and 'B'.

STEVE BULLOCK  
Attorney General

SB:sj